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Shawn S. Cornelius

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EXAMINER

NGUYEN, THUONG

ART UNIT

PAPER NUMBER

2155

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/945,188	Applicant(s) CORNELIUS ET AL.	
	Examiner Thuong (Tina) T. Nguyen	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/14/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to application 09/945,188 the amendment filed on 9/4/07. Claims 1-6, 8-29 are pending and represent method and system for remotely managing a data processing system via a communications network.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 22-28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, the claimed invention lacks of tangible result in a physical transformation nor does it appear to provide a useful, concrete and tangible result, and the disclosed invention is inoperative and therefore lacks utility.

In *State Street*, the Federal Circuit examined some of its prior section 101 cases, observing that the claimed inventions in those cases were each for a “practical application of an abstract idea” because the elements of the invention operated to produce a “useful, concrete and tangible result.” *State Street*, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. For example, the court in *State Street* noted that the claimed invention in *Alappat* “constituted a practical application of an abstract idea (a mathematical algorithm, formula, or calculation), because it produced ‘a useful, concrete and tangible result’—the smooth waveform.” *Id.* Similarly, the claimed invention in

Arrhythmia “constituted a practical application of an abstract idea (a mathematical algorithm, formula, or calculation), because it corresponded to a useful, concrete and tangible thing—the condition of a patient’s heart.” *Id.*

In determining whether the claim is for a “practical application,” the focus is not on whether the steps taken to achieve a particular result are useful, tangible and concrete, but rather that the final result is “useful, tangible and concrete.” The Federal Circuit further ruled that it is of little relevance whether a claim is directed to a machine or process for the purpose of a § 101 analysis. *AT&T*, 172 F.3d at 1358, 50 USPQ2d at 1451.

A claim limited to a machine or manufacture, which has a practical application, is statutory. In most cases, a claim to a specific machine or manufacture will have a practical application. See *Alappat*, 33 F.3d at 1544, 31 USPQ2d at 1557 (“the claimed invention as a whole is directed to a combination of interrelated elements which combine to form a machine for converting discrete waveform data samples into anti-aliased pixel illumination intensity data to be displayed on a display means. This is not a disembodied mathematical concept which may be characterized as an ‘abstract idea,’ but rather a specific machine to produce a useful, concrete, and tangible result.”); and *State Street*, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02 (“the transformation of data, representing discrete dollar amounts, by a machine through a series of mathematical calculations into a final share price, constitutes a practical application of a mathematical algorithm, formula, or calculation, because it produces ‘a useful, concrete and tangible result’ – a final share price momentarily fixed for recording and reporting purposes and

even accepted and relied upon by regulatory authorities and in subsequent trades.”).

Also see AT&T, 172 F.3d at 1358, 50 USPQ2d at 1452 (Claims drawn to a long-distance telephone billing process containing mathematical algorithms were held patentable subject matter because the process used the algorithm to produce a useful, concrete, tangible result without preempting other uses of the mathematical principle.)

It's still unclear to the examiner what would be the result of this claim limitation? What would be the result after “determined whether the received technical parameter data...”? Therefore, the examiner still remains the 101 rejection.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 29 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Examiner could not relate the claim limitation with the specification description on page 38, lines 29 wherein “revising the remote data processing system should determining indicates that the report data message does not comply with the retrieved reference

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technical parameter data". Please, stated how the specification supports that specific claim limitation.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-6, 17-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raverdy, Patent No. 2002/0068631 in view of Kavanagh, Patent No. 6,360,334 B1.

Raverdy teaches the invention substantially as claimed including system and method to support gaming in an electronic network (see abstract).

8. As to claim 1, Raverdy teaches a method for managing a remote data processing system comprising:

communicating with a remote data processing system associated with a trading partner on at least one technical parameter of the remote data processing system (page 4, paragraph 52 & 58; Raverdy discloses that the method of transferring ownership or certified between trading participants to update or download the appropriate software versions or determined the current version for an updating services), wherein the at least one technical parameter includes information related to operation characteristics of any one of the remote data processing system, the communications network and a base

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data processing system in communication with the remote data processing system via the communication network (page 3, paragraph 43 – page 4, paragraph 48; Raverdy discloses that the method of providing the communication network information such as user device, bi-directionally communication of the communication network and an I/O interface between system);

to coordinate the management of the at least one technical parameter for trading partners within a trading group (page 8, paragraph 100; Raverdy discloses that the method of determined whether appropriate versions of encryption software are currently installed to support the transfer procedure between the trading partners).

But Raverdy failed to teach the claim limitation wherein receiving a report message on the at least one technical parameter via the communications network; and interpreting the report message for presentation on a user interface.

However, Kavanagh teaches method and apparatus for verifying a software configuration of a distributed system (see abstract). Kavanagh teaches the limitation wherein receiving a report message on the at least one technical parameter via the communications network (col 6, lines 55 – col 7, lines 27); and interpreting the report message for presentation on a user interface (figure 5-8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raverdy in view of Kavanagh so that the system would provides a method for verifying the software configuration of a distributed system. One would be motivated to do so to provide user with a clear report of the system configuration.

9. As to claim 2, Raverdy and Kavanagh teach the method as recited in claim 1 wherein the communicating comprises polling a remote business-to-business server as the remote data processing system to obtain the at least one technical parameter concerning an operational status of at least one of software and hardware of the remote business-to-business server (page 6, paragraph 73-74; Raverdy discloses that the method of providing the appropriate configuration information to the particular user device corresponding the user profile).

10. As to claim 3, Raverdy and Kavanagh teach the method as recited in claim 1 wherein the communicating comprises polling a remote business-to-business server at the remote data processing system to obtain the at least one technical parameter of at least one of software and hardware of the remote business-to-business server (page 6, paragraph 73-74; Raverdy discloses that the method of providing the appropriate configuration information to the particular user device corresponding the user profile).

11. As to claim 4, Raverdy and Kavanagh teach the method as recited in claim 1. But Raverdy failed to teach the claim limitation wherein presenting the report message on the user interface for review.

However, Kavanagh teaches the limitation wherein presenting the report message on the user interface for review (figure 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raverdy in view of Kavanagh so that generating and displaying the report to the user through the user interface. One would be motivated to do so to provide to the user the requested information.

12. As to claim 5, Raverdy and Kavanagh teach the method as recited in claim 1 wherein the at least one technical parameter is selected from the group consisting of:

hardware configuration of the remote data processing system, hardware configuration of the base data processing system, software configuration of the remote data processing system, software configuration of the base data processing system, an installed version of a remote software module, an installed version of a base software module, an installed type of remote software module, an installed type of base software module, operational status data, performance metric data on performance of the remote data processing system, and performance metric data on performance of the base data processing system (page 1, paragraph 15; page 2, paragraph 16; Raverdy discloses that the method of determined the appropriate software version to install to particular user).

13. As to claim 6, Raverdy and Kavanagh teach the method as recited in claim 1 wherein the at least one technical parameter comprises operational status data of at least one of the remote data processing system, the base data processing system, and the communications network (figure 1; page 2, paragraph 32; Raverdy discloses that the method of present the wireless telecommunication device configuration to a user devices).

14. As to claim 17, Raverdy teaches a system for managing a remote data processing system comprising:

a managing communications interface for supporting communication with a remote data processing system associated with a trading partner on at least one

technical parameter of the remote data processing system (page 4, paragraph 52 & 58; Raverdy discloses that the system of transferring ownership or certified between trading participants to update or download the appropriate software versions or determined the current version for an updating services), wherein the technical parameter data includes information related to operation characteristics of any one of the remote data processing system, the communications network and a base data processing system in communication with the remote data processing system via the communications network (page 3, paragraph 43 – page 4, paragraph 48; Raverdy discloses that the method of providing the communication network information such as user device, bi-directionally communication of the communication network and an I/O interface between system).

But Raverdy failed to teach the claim limitation wherein a monitor for receiving a report message on the at least one technical parameter via the communications network; and an interpreter for interpreting the report message for presentation on a user interface.

However, Kavanagh teaches the limitation wherein a monitor for receiving a report message on the at least one technical parameter via the communications network (col 6, lines 55 – col 7, lines 27); and an interpreter for interpreting the report message for presentation on a user interface (figure 5-8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raverdy in view of Kavanagh so that the system would provides a

method for verifying the software configuration of a distributed system. One would be motivated to do so to provide user with a clear report of the system configuration.

15. As to claim 18, Raverdy and Kavanagh teach the system as recited in claim 17 wherein the remote data processing system comprises a remote business-to-business server (page 6, paragraph 73-74; Raverdy discloses that the system of providing the appropriate configuration information to the particular user device corresponding the user profile).

16. As to claim 19, Raverdy and Kavanagh teach the system as recited in claim 17. But Raverdy failed to teach the claim limitation wherein a presentation module for preparing a presentation of the report message on the user interface for review.

However, Kavanagh teaches the limitation wherein a presentation module for preparing a presentation of the report message on the user interface for review (figure 5-8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raverdy in view of Kavanagh so that the system would present the user with a more customized report, which presents the technical parameter for the system. One would be motivated to do so to provide user with a clear and more depth report to the user.

17. As to claim 20, Raverdy and Kavanagh teach the system as recited in claim 17 wherein the at least one technical parameters is selected from the group consisting of:

hardware configuration of the remote data processing system, hardware configuration of the base data processing system, software configuration of the remote

data processing system, software configuration of the base data processing system, an installed version of a remote software module, an installed version of a base software module, an installed type of remote software module, an installed type of base software module, operational status data, performance metric data on performance of the remote data processing system, and performance metric data on performance of the base data processing system (page 1, paragraph 15; page 2, paragraph 16; Raverdy discloses that the system of determined the appropriate software version to install to particular user).

18. As to claim 21, Raverdy and Kavanagh teach the system as recited in claim 17. But Raverdy failed to teach the claim limitation wherein the at least one technical parameter comprises operational status data.

However, Kavanagh teaches the limitation wherein the at least one technical parameter comprises operational status data (figure 5-8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raverdy in view of Kavanagh so that provide a report which let the trader to be able to collaboration of network activities. One would be motivated to do so to provides significant business value and high returns on investment based on the clear measure of the metric performance.

19. As to claim 22, Raverdy teaches a system for managing a remote data processing system comprising:

wherein the technical parameter data includes information related to operation characteristics of any one of the remote data processing system, the communications

network and a base data processing system in communication with the remote data processing system via the communications network (page 3, paragraph 43 – page 4, paragraph 48; Raverdy discloses that the method of providing the communication network information such as user device, bi-directionally communication of the communication network and an I/O interface between system)

a data manager for retrieving reference technical parameter data from a reference parameters storage (page 2, paragraph 16; Raverdy discloses that the system of determined if the security provisions are not adequate for completing, transferring procedure to determined if the user has appropriate encryption software, which means the system has to retrieve the information stored in the server to determined that condition); and

a data processor for determining whether the received technical parameter data of the report data message complies with the retrieved reference technical parameter data (page 8, paragraph 100; Raverdy discloses that the system of determined whether appropriate versions of encryption software are currently installed to support the transfer procedure between the trading partners).

But Raverdy failed to teach the claim limitation wherein a monitor for receiving a report message on at least one technical parameter of a remote data processing system via the communications network.

However, Kavanagh teaches the limitation wherein a monitor for receiving a report message on at least one technical parameter of a remote data processing system via the communications network (col 6, lines 55 – col 7, lines 27).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raverdy in view of Kavanagh so that the system would provides a method for verifying the software configuration of a distributed system. One would be motivated to do so to provide user with a clear report of the system configuration.

20. As to claim 23, Raverdy and Kavanagh teach the system as recited in claim 22 wherein a base communications interface adapted to poll the remote data processing system associated with a trading partner on the at least one technical parameter of the remote data processing system (page 6, paragraph 73-74; Raverdy discloses that the system of providing the appropriate configuration information to the particular user device corresponding the user profile).

21. As to claim 24, Raverdy and Kavanagh teach the system as recited in claim 22 wherein a managing communications interface for sending a revision to the remote data processing system if the data processor determined that the same software modules are not specified in the reference technical parameter data and the received technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the system of uploading an appropriate software version or encryption to the system).

22. As to claim 25, Raverdy and Kavanagh teach the system as recited in claim 22 wherein a managing communications interface for sending a revision to the remote data processing system if the data processor determined that the same software type of software modules are not specified in the reference technical parameter data and the received technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the

system of upgrading or updating the appropriate software version or encryption to the system.

23. As to claim 26, Raverdy and Kavanagh teach the system as recited in claim 22 wherein a managing communications interface for sending a revision to the remote data processing system if the data processor determined that the same version of software modules are not specified in the reference technical parameter data and the received technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the system of upgrading or updating the appropriate software version or encryption to the system.

24. As to claim 27, Raverdy and Kavanagh teach the system as recited in claim 22 wherein the data processor is coupled to a storage device, the storage device including at least one of a reference parameters storage, a received parameters storage, and an upgrade module storage for storing upgrade software modules (page 6, paragraph 73-74; Raverdy discloses that the system of updating or upgrading version software or encryption for the particular software for the users).

25. As to claim 28, Raverdy and Kavanagh teach the system as recited in claim 22 wherein the data manager and a user interface support a user's revision of reference parameters of the reference parameters storage to add, delete, or modify at least one software feature of the remote data processing system (figure 3 & 6).

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26. Claim 29, 8-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raverdy, Patent No. 2002/0068631 A1 in view of Kavanagh, Patent No. 6,360,334 B1 and further in view of Kidder, Patent No. 6,455, 774 B1.

Raverdy teaches the invention substantially as claimed including system and method to support gaming in an electronic network (see abstract).

27. As to claim 29, Raverdy and Kavanagh teach a method for managing a remote data, comprising:

wherein the technical parameter data includes information related to operation characteristics of any one of the remote data processing system, the communications network and a base data processing system in communication with the remote data processing system via the communications network (page 3, paragraph 43 – page 4, paragraph 48; Raverdy discloses that the method of providing the communication network information such as user device, bi-directionally communication of the communication network and an I/O interface between system)

retrieving reference technical parameter data from a reference parameters storage based on the report message (page 2, paragraph 16; Raverdy discloses that the system of determined if the security provisions are not adequate for completing, transferring procedure to determined if the user has appropriate encryption software, which means the method has to retrieve the information stored in the server to determined that condition); and

determining whether the received technical parameter data of the report data message complies with the retrieved reference technical parameter data (page 8,

paragraph 100; Raverdy discloses that the method of determined whether appropriate versions of encryption software are currently installed to support the transfer procedure between the trading partners);

revising the remote data processing system should the determining indicates that the report data message does not comply with the retrieved reference technical parameter data (page 5, paragraph 60 & 68; Raverdy discloses that the display of determined the appropriate technical parameter from the user profile and upload or download the various types of information accordingly).

But Raverdy failed to teach the claim limitation wherein receiving on a monitor a report message containing technical parameter data on a remote data processing system via the communications network; displaying on a monitor confirmation that the revising has been completed

However, Kavanagh teaches the limitation wherein receiving on a monitor a report message containing technical parameter data on a remote data processing system via the communications network (col 6, lines 55 – col 7, lines 27).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Raverdy in view of Kavanagh so that the system would provides a method for verifying the software configuration of a distributed system. One would be motivated to do so to provide user with a clear report of the system configuration.

However, Kidder teaches system for automated workflow in a network management and operations system (see abstract). Kidder teaches the limitation

wherein displaying on a monitor confirmation that the revising has been completed (col 12, lines 28-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Raverdy and Kavanagh in view of Kidder so that monitor the activities. One would be motivated to do so to be able to resolve the problems and received the confirmation once the processes completed.

28. As to claim 8, Raverdy and Kavanagh teach the method as recited in claim 29 wherein polling a second remote data processing system that is associated with a trading partner on the technical parameter data of the remote data processing system (page 6, paragraph 73-74; Raverdy discloses that the method of providing the appropriate configuration information to the particular user device corresponding the user profile).

29. As to claim 9, Raverdy and Kavanagh teach the method as recited in claim 29 wherein sending a revision to the remote data processing system if at least one software component of the remote data processing system is noncompliant with the reference technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the method of uploading an appropriate software version or encryption to the system).

30. As to claim 10, Raverdy and Kavanagh teach the method as recited in claim 29 wherein sending an upgrade software module to the remote data processing system if the same types of software modules are not specified in the reference technical parameter data and the received technical parameter data (page 6, paragraph 73-74;

Raverdy discloses that the method of upgrading or updating the appropriate software version or encryption to the system).

31. As to claim 11, Raverdy and Kavanagh teach the method as recited in claim 10 wherein installing the upgrade software module after receipt of confirmation that a requisite hardware upgrade for supporting the upgrade software module has been successfully completed (page 6, paragraph 73-74; Raverdy discloses that the method of installing an appropriate software version of encryption to the system).

32. As to claim 12, Raverdy and Kavanagh teach the method as recited in claim 29 wherein delaying a transmission of a revision to the remote data processing system if the same software components are not specified in the reference technical parameter data and the received technical parameter data and if the remote data processing system requires a hardware upgrade to support the revision (page 4, paragraph 52; page 5, paragraph 61; Raverdy discloses that the method of determined if the software application is outdated and if the software in the system is the right version and will proceed the procedure accordingly).

33. As to claim 13, Raverdy and Kavanagh teach the method as recited in claim 29 wherein sending a desired version of an upgrade software module to the remote data processing system if the same versions of software modules are not specified in the reference technical parameter data and the received technical parameter data (page 6, paragraph 73-74; Raverdy discloses that the method of upgrading or updating the appropriate software version or encryption to the system).

34. As to claim 14, Raverdy and Kavanagh teach the method as recited in claim 13 wherein installing the desired version of the upgrade software module after receipt of confirmation that a requisite hardware upgrade for supporting the desired version of the upgrade software module has been successfully completed (page 6, paragraph 73-74; Raverdy discloses that the method of installing an appropriate software version of encryption to the system).

35. As to claim 15, Raverdy and Kavanagh teach the method as recited in claim 29 wherein delaying a transmission of a desired version of an upgrade software module to the remote data processing system if the same versions of software modules are not specified in the reference technical parameter data and the received technical parameter data and if the remote data processing system requires a hardware upgrade to support the desired version of the upgrade software module (page 4, paragraph 52; page 5, paragraph 61; Raverdy discloses that the method of determined if the software application is outdated and if the software in the system is the right version and will proceed the procedure accordingly).

36. As to claim 16, Raverdy and Kavanagh teach the method as recited in claim 29 wherein revising the reference parameters storage such that a reference configuration is defined by the technical parameter data and includes a new feature for installation at the remote data processing system (page 5, paragraph 60 & 68; Raverdy discloses that the method of determined the appropriate technical parameter from the user profile and upload or download the various types of information accordingly).

Response to Arguments

Applicant's arguments with respect to claims 29 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments include the failure of previously applied art to expressly disclose receiving and interpreting the report message (see Applicant's response, 9/4/07, page 14, paragraph 2). It is evident from the detailed mappings found in the above rejection(s) that Kavanagh disclosed this functionality (see Kavanagh, figure 5-8; col 6, 55 – col 7, lines 27). Further, it is clear from the numerous teachings (previously and currently cited) that the provision for receiving, retrieving and determining whether the received technical parameter data... was widely implemented in the networking art. Thus, Applicant's arguments drawn toward distinction of the claimed invention and the prior art teachings on this point are not considered persuasive.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuong (Tina) Nguyen whose telephone number is 571-272-3864, and the fax number is 571-273-3864. The examiner can normally be reached on 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thuong (Tina) Nguyen
Patent Examiner/Art Unit 2155



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER